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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,404	06/29/2000	Masajiro Fukunaga	072982/0202	7055

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT PAPER NUMBER

2157

DATE MAILED: 06/17/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/606,404

Applicant(s)

FUKUNAGA ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to amendment received on April 27, 2004. Claims 1, 2, 10, 11 and 19-24 were amended. Claims 1-24 are pending examination.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 10-12, 15 and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Novoa et al., U.S. Patent No. 6,636,973 (referred to hereafter as Novoa).

As per claims 1 and 10, Novoa teaches a personal identification system and method for an information processing system including two or more local computers and a remote computer having common resources which can be accessed by each of the local computers comprising:

a personal verification system as common equipment for the local computers including a database means for storing passwords of each authorized user and physical characteristics data corresponding to each password (see col. 2 lines 50-67) wherein:

the local computer is provided with a physical characteristics scanning/sending means for scanning physical characteristics of a user when the user

made a request to the local computer for the use of the common resources of the remote computer, generating characteristics data based on the scanned physical characteristics of the user, and sending the characteristics data to the personal verification system (see col. 7 lines 47-65), and

wherein the personal verification system which receives the characteristics data from the physical characteristics scanning/sending means of the local computer searches the database for a password using the received characteristics data as a key and sends the searched password to the local computer (see col. 3 lines 5-25), and

wherein the local computer which receives the password from the personal verification system sends the received password to the remote computer for user identification (see col. 8 lines 19-35).

As per claims 2 and 11, Novoa further teaches a personal identification system as in claims 1 and 10, wherein the remote computer includes a user personal identification means for executing personal identification of the user by use of the password which is sent from the local computer (see col. 8).

As per claims 3 and 12, Novoa also teaches a personal identification system as claimed in claims 1 and 10, wherein the local computers, the remote computer and the personal verification system are connected together by a communication network (see col. 8).

As per claims 6 and 15, Novoa teaches a personal identification system as claimed in claims 1 and 10, wherein a fingerprint of the user is scanned by the physical

characteristics scanning/sending means as the physical characteristics of the user (see col. 3).

As to claims 19 and 22, Novoa teaches the remote computer determines whether or not a user of the local computer is permitted or denied access to data stored at the remote computer (see col. 8).

As to claims 20 and 23, Novoa teaches the remote computer makes the sole determination based on the received password as to whether or not to grant the user access to the common resources (see col. 8).

As to claim 21 and 24, Novoa teaches personal identification system as claimed in 1 and 10 wherein the personal verification system is disposed remotely from the local computers and remotely from the remote computer (see col. 3).

**3.** Claims 4, 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novoa in view of Clark, U.S. Patent No. 6,445,777.

As per claims 4 and 13, Novoa does not teach a personal identification system as claimed in claims 1 and 10 wherein the communication network is an Ethernet LAN.

However, Clark teaches a communications system wherein the communication network is an Ethernet LAN (see col. 4 lines 8-17).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Novoa in view of the communications network as in Clark to connect the remote computer to the local computers using the Ethernet LAN. One would be motivated to include the Ethernet LAN in the combined system of Novoa because Ethernet LAN's bandwidth is about 10 Mbit/s. and its transfer rate with TCP/IP

is typically 30 kilobyte per second that would provide the user with relatively high speed network connection.

As per claims 5 and 14, Clark also teaches a communications system wherein the communication network is a wireless LAN (see abstract).

4. Claims 7-9 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novoa in view of Kigo et al, U.S. Patent No. 6,487,659 (referred to hereafter as Kigo).

As per claims 7 and 16, Novoa does not teach a personal identification system as claimed in claims 1 and 10 wherein an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user.

However Kigo teaches an identification system where an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Novoa in view of the physical characteristics of the user as in Kigo to include different kinds of physical input characteristics such as iris pattern, retina pattern or voiceprint. One would be motivated to include the iris pattern scanning in the combined system of Novoa because doing so would distinctly identify users and prevent any unauthorized user from accessing the computer since two users cannot have the same iris pattern and thus creating a safe network environment that can only be accessed by users whose physical properties are identified by the computer.

As per claims 8 and 15, Kigo teaches a retina pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34)

As per claims 9 and 18, Kigo also teaches a voiceprint of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

5. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti  
June 3, 2004

  
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